

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

AMERICAN MEDICAL SYSTEMS, INC. and  
LASERSCOPE,

Plaintiffs,

v.

BIOLITEC, INC.,

Defendant.

Civil Action No. 3:07-CV-30109-MAP

AMERICAN MEDICAL SYSTEMS, INC. and  
LASERSCOPE,

Plaintiffs,

v.

BIOLITEC, INC., BIOLITEC AG,  
CERAMOPTEC INDUSTRIES, INC.,  
CERAMOPTEC GmbH, ANDAOPTEC, LTD.,  
and BIOLITEC SIA,

Defendants.

Civil Action No. 3:08-CV-30061-MAP

**STIPULATION AND [PROPOSED] ORDER EXTENDING STAY  
OF LITIGATION TO FACILITATE COMPLETION OF SETTLEMENT**

Plaintiffs American Medical Systems, Inc. and Laserscope (collectively "AMS") and Defendants biolitec, Inc., *et al.* (collectively "biolitec") jointly submit this stipulation:

WHEREAS, on July 1, 2011, the Court Ordered that the above-captioned actions be stayed until August 19, 2011 to facilitate settlement discussions (D.I. #122 in Civil Action No. 3:07-CV-30109-MAP; D.I. #259 in Civil Action No. 3:08-CV-30061-MAP);

ALLOWED. Extension to 1/13/12.  
Michael B. Posner USPT 12/14/11

(128)

WHEREAS, from time to time, the Court has extended the stay at the request of the parties;

WHEREAS, by an Order dated November 23, 2011, the Court directed the parties to submit a proposed schedule, or alternatively, provide the Court with a status update and further request to maintain the stay;

WHEREAS, the parties have finalized confidential settlement documents and are in the process of executing the same;

WHEREAS, after the settlement documents are executed and certain prerequisites to the dismissal of these cases are met, the parties will file stipulations of dismissal for Court approval;

WHEREAS, in light of the foregoing, the parties jointly wish to continue the stay to avoid incurring the substantial costs associated with proceeding with fact discovery and additional motion practice;

WHEREAS, the parties have agreed to extend the stay through and including January 13, 2012; and

**IT IS HEREBY STIPULATED**, by and between the parties, and through their respective attorneys of record, subject to the approval of the Court that:

- (1) This litigation is stayed, including all discovery, through and including January 13, 2012, to allow the parties to complete their settlement;
- (2) On or before January 13, 2012, the parties shall submit either a stipulation of dismissal or a status report advising the Court of when the parties anticipate dismissing these cases.

(3) In view of the foregoing, the parties respectfully request that the Court enter the Order in the form submitted herewith.

Respectfully submitted,

Dated: December 12, 2011

/s/ Leland G. Hansen

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Dated: December 12, 2011

/s/ Mark D. Giarratana

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*Attorneys for Plaintiffs*

*Attorneys for Defendants*

**IT IS SO ORDERED,**

Dated: Dec. 14, 2011



Michael A. Ponsor  
Honorable Michael A. Ponsor  
United States District Judge